

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ROME DIVISION**

IN RE:	)	CHAPTER 13
	)	
JALESA BIANCA ALEXANDER	)	CASE NO. 18-42084-BEM
	)	
Debtor.	)	

**AMENDED MOTION TO IMPOSE AUTOMATIC STAY**

COME NOW Debtor, JALESA BIANCA ALEXANDER, and asks this Court pursuant to 11 U.S.C. Section 105 to impose the automatic stay of 11 U.S.C. Section 362(a) in this Chapter 13 Bankruptcy Case against all Creditors and show the Court the following:

1.

On September 5, 2018, Debtor filed a Voluntary Petition for Bankruptcy relief under Title 11, Chapter 13 of the United States Code.

2.

Debtor has filed a previous Chapter 13 bankruptcy case, bringing it within 11 U.S.C. Section 362(c)(3). Case No. 18-41481 was filed on June 28, 2018 (the "First Case") and dismissed on August 21, 2018.

3.

Debtor's First Case was dismissed for failure to pay filing fee. Debtor unexpectedly lost her job shortly after filing her Chapter 13 bankruptcy case. This caused a financial hardship on the debtor and she was unable to pay her second filing fee installment, resulting in her case being dismissed.

4.

Debtor filed the instant case to recover her repossessed vehicle, pay her furniture loan, and also address her other unsecured debts. Debtor has a new job earning gross monthly wages of a little more than \$1900 per month. Debtor is able to propose a feasible Chapter 13 Plan payment that will allow the Debtor to pay both her Chapter 13 Plan payments and ongoing monthly living expenses. Due to no fault of the Debtor, the Motion to Extend Stay was not filed in a timely fashion in this case. Imposing the automatic stay will help Debtor prevent a repossession of her vehicles which she needs to get to and from her place of employment which allows Debtor to fund the instant Chapter 13 case.

5.

Debtor has filed the instant case in good faith. Debtor asks the Court to find that the presumption that the instant case was not filed in good faith has been rebutted by clear and convincing evidence, as outlined above, and impose the automatic stay. Debtor asks the Court to allow her the opportunity to be successful in her current Chapter 13 case.

WHEREFORE, Debtor prays that this motion be granted and pursuant to 11 U.S.C. Section 105 that the automatic stay of 11 U.S.C. Section 362(a) be imposed against all creditors.

Dated this 18th day of October, 2018.

Respectfully Submitted,

\_\_\_\_/s/\_\_\_\_

Howard Slomka, Esq.  
Georgia Bar # 652875  
Slipakoff & Slomka, PC  
Attorney for Debtor  
2859 Paces Ferry Rd, SE  
Suite 1700  
Atlanta, GA 30339

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**NOTICE OF HEARING**

**PLEASE TAKE NOTICE** that JALESA BIANCA ALEXANDER have filed a Motion to Impose Automatic Stay and related papers with the Court seeking an Order on the Motion to Impose Automatic Stay.

**PLEASE TAKE FURTHER NOTICE** that the Court will hold a hearing on the Motion to Impose Automatic Stay in Courtroom 342, 600 East First Street, Rome, Georgia 30161 at 10:30 A.M. on November 14, 2018.

Your rights may be affected by the court's ruling on these pleadings. You should read these pleadings carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one). If you do not want the court to grant the relief sought in these pleadings or if you want the court to consider your view, then you and/or your attorney must attend the hearing. You may also file a written response to the pleadings with the Clerk at the address stated below, but you are not required to do so. If you file a written response, you must attach a certificate stating when, how and on whom (including addresses) you served the response. Mail or deliver your response so that it is received by the Clerk at least two business days before the hearing. The address of the Clerk's Office is: Clerk, U.S. Bankruptcy Court, Room 339, Richard B. Russell Building, 600 East First Street, Rome, Georgia 30161. You must also mail a copy of your response to the undersigned at the address stated below.

Dated: October 18, 2018

\_\_\_\_\_/s/  
Howard Slomka, Esq.  
Georgia Bar # 652875  
Slipakoff & Slomka, PC  
Attorney for Debtor  
2859 Paces Ferry Rd, SE, Suite 1700  
Atlanta, GA 30339

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**CERTIFICATE OF SERVICE**

I, Howard Slomka, attorney for Debtor, certify that the below listed parties and the attached service list have been served with a true and correct copy of the attached pleadings by placing a copy of same in a properly addressed envelope with adequate postage thereon and deposited in the United States Mail.

Mary Ida Townson (served via ECF)  
Chapter 13 Trustee  
Suite 2200  
191 Peachtree Street, NE  
Atlanta, GA 30303-1740

Jalesa Bianca Alexander  
612 Golden St Apt 10  
Rockmart, GA 30153

Floyd Healthcare Management  
Floyd Medical Center  
P.O. Box 233  
Rome, GA 30162  
Attn: Marilyn Trotter

Nelnet  
121 South 13<sup>th</sup> Street, Suite 201  
Lincoln, NE 68508  
Attn: David Kim

SEE ATTACHED FOR ADDITIONAL CREDITORS

Dated: October 18, 2018

\_\_\_\_\_/s/\_\_\_\_\_  
Howard Slomka, Esq.

Georgia Bar # 652875  
Slipakoff & Slomka, PC  
Attorney for Debtor  
2859 Paces Ferry Rd, SE  
Suite 1700  
Atlanta, GA 30339

Label Matrix for local noticing  
113E-4  
Case 18-42084-bem  
Northern District of Georgia  
Rome  
Wed Sep 26 09:34:31 EDT 2018

Aaron Sales & Lease Ow  
309 E Paces Ferry  
Atlanta, GA 30305-2367

Jalesa Bianca Alexander  
612 Golden Street  
Apt 10  
Rockmart, GA 30153-1771

(p)W S BADCOCK CORPORATION  
POST OFFICE BOX 724  
MULBERRY FL 33860-0724

Dept Of Education/neln  
121 S 13th St  
Lincoln, NE 68508-1904

Enhanced Recovery Co L  
8014 Bayberry Rd  
Jacksonville, FL 32256-7412

Family Savings Credit  
711 E Meighan Blvd  
Gadsden, AL 35903-1996

(p)GEORGIA DEPARTMENT OF REVENUE  
COMPLIANCE DIVISION  
ARCS BANKRUPTCY  
1800 CENTURY BLVD NE SUITE 9100  
ATLANTA GA 30345-3202

Internal Revenue Service  
PO Box 7346  
Philadelphia, PA 19101-7346

Polk County Hospital  
2360 Rockmart Hwy  
Cedartown, GA 30125-6029

Scana Energy Marketing  
3344 Peachtree Rd Ne Ste  
Atlanta, GA 30326-4808

Security Fin  
C/o Security Finance  
Spartanburg, SC 29304

Howard P. Slomka  
Slipakoff & Slomka, PC  
Overlook III - Suite 1700  
2859 Paces Ferry Rd, SE  
Atlanta, GA 30339-6213

Mary Ida Townson  
Chapter 13 Trustee  
Suite 2200  
191 Peachtree Street, NE  
Atlanta, GA 30303-1770

US Department of Education c/o Nelnet  
121 South 13th Street, Suite 201  
Lincoln, NE 68508-1911

United States Attorney  
Northern District of Georgia  
75 Ted Turner Drive SW, Suite 600  
Atlanta GA 30303-3309

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified  
by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

Badcock Furniture  
1405 Iris Drive SE  
Conyers, GA 30013

Georgia Department of Revenue  
1800 Century Blvd  
Suite 17200  
Atlanta, GA 30345

End of Label Matrix  
Mailable recipients 15  
Bypassed recipients 0  
Total 15